IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1986 of 1999

For Approval and Signature:

Hon'ble MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PATEL DAHYABHAI PITAMBARDAS

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 1986 of 1999

MR TUSHAR MEHTA for Petitioner No. 1-8

MS HARSHA DEVANI A.G.P. for Respondent No. 1-2

MR KS JHAVERI for Respondent No. 3-4

DS AFF.NOT FILED (R) for Respondent No. 5

CORAM : MISS JUSTICE R.M.DOSHIT

Date of decision: 07/03/2003

ORAL JUDGEMENT

1. The petitioners before this Court are the elected members of the Agricultural Produce Market Committee, Patan. Under the impugned order dated 12th March, 1999 made by the State Government, the election of the members of the Agricultural Produce Market Committee, Patan for the Agricultural constituency was cancelled and election afresh was ordered. Feeling aggrieved, the petitioners have preferred the present petition. Pending this petition, under order dated 9th August, 1999, [Coram : M.R. Calla, J.] the implementation of the impugned order dated 12th March, 1999 was stayed and the petitioners were ordered to be allowed to continue to function as elected members of the Market Committee, Patan.

2. The learned Assistant Government Pleader Ms.Devani states that pending this petition, under order dated 18th August, 2001, the Managing Committee of the Market Committee, was superseded and the Administrator was appointed. The Administrator took over the charge of the Management of the Market Committee on 23rd August, 2001 since then a fresh election has been held on 13th February. 2003.

3. In view of the interim stay granted by this Court and the above referred development, no further order is required to be made on this petition. Hence, the petition is dismissed. Rule is discharged. Interim stay stands vacated. There shall be no order as to costs.

[Ms.R.M. Doshit, J.]

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